

WILMERHALE

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Honorable John Gleeson
United States District Judge
United States District Court
for the Eastern District of New York
225 Cadman Plaza East, Room 727S
Brooklyn, NY 11201-1818

Re: *In re Air Cargo Shipping Services Antitrust Litigation*, MDL 1775

Dear Judge Gleeson:

By this letter, Lufthansa respectfully moves for leave to file the enclosed Response to Supplemental Submission of Schenker, Inc. Regarding Allocation of the Lufthansa Settlement Fund.

On January 23, 2009, counsel for Schenker, Inc. filed a Supplemental Submission in Response to the Court's Order of December 30, 2008, and in Further Support of its Objection to Allocation of Lufthansa Settlement Fund. In it, Schenker argued, once more, that the allocation plan is improper in light of ACPERA. Plaintiffs' Counsel submitted a response on January 29, 2009.

Lufthansa now respectfully offers this filing to clarify that ACPERA's potential limitation of Lufthansa's damages exposure does not affect any allocation of the Lufthansa Settlement Fund.

Respectfully Submitted,

/s/ Eric Mahr
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Lufthansa Cargo AG, and Swiss
International Air Lines Ltd.*

cc: All Counsel of Record (via ECF)